

MINUTES OF
STATE WATER COMMISSION MEETING
Held at
Fargo, North Dakota
October 8, 1963

MEMBERS PRESENT:

Oscar Lunseth, Vice Chairman, Grand Forks
Math Dahl, Commissioner, Agriculture & Labor, Bismarck
Henry Steinberger, Member from Donnybrook
Einar Dahl, Member from Watford City
Gordon Gray, Member from Valley City
Richard P. Gallagher, Member from Mandan
Milo W. Hoisveen, Secretary and Chief Engineer, State Engineer, Bismarck

OTHERS PRESENT:

John Amundson, Attorney, Bowman County Water Management District
Rudy Bertsch, Bowman
Olaf Soreide, Bowman
Clark J. Jenkins, Lake Agassiz Sugar Corporation
Delmar Schulz, Lake Agassiz Sugar Corporation
William R. Wedberg, Lake Agassiz Sugar Corporation
E. N. Dornacker, Lake Agassiz Sugar Corporation
Fred J. Fredrickson, Planning Coordinator, State Water Commission
Cliff Jochim, Special Assistant Attorney General, State Water Commission

Commissioner Lunseth called the meeting to order at 2:10 p.m. in room 208 of the Gardner Hotel, Fargo, North Dakota. Present were Commissioners Math Dahl, Henry Steinberger, Einar Dahl and Gordon Gray. It was explained that the meeting was called prior to its originally scheduled hour in order to permit the delegation representing the Bowman County Water Management District to present their request to the Commission for financial aid. They were scheduled to be airborne at 4:00 o'clock p.m., the time for which the meeting was originally set.

BOWMAN-HALEY PROJECT

John Amundson, attorney for the Bowman County Water Management District introduced Rudy Bertsch and Olaf Soreide to the Commission and thanked the Commission for allowing them to appear before them. He explained that the district would be allowed fifty years to pay the Corps of Engineers the estimated cost of \$620,000. The payment period would be delayed ten years, interest free. Therefore, the money they have available now could be invested for twelve years before the first payment is due. It is estimated that if the district had \$260,000 invested the annual interest of such investment plus the money pledged by the municipalities to be benefited by the project and the \$10,000 pledged by the district, would give the district enough money to allow it to meet each annual payment as it became due and still allow the district to retain the principal \$260,000. The district lacks approximately \$46,600 of this required \$260,000. It was pointed out that the district

must prove to the Corps of Engineers its ability to pay now not when the dam is completed.

It was explained that the district is basing its ability to meet the future payments on the supposition that the county's tax levy would continue to yield the necessary income and the oil royalties it is now receiving would reach a maximum of \$3,000 and would also not be taken away by a future legislature. If either source of income should fail to yield its anticipated amount the district would be faced with a deficit which it could not overcome. It was explained how each legal entity within the district and the district itself expects to raise the amount of money each has pledged. If the district had an additional \$46,600 it would have enough money to invest and be able to meet the annual payments on the basis of the interest earned by such investment. Subsection 7 of section 61-02-14 of the North Dakota Century Code was read and discussed. It was felt that this statute, amended by the 1963 Legislative Assembly, would allow the Commission to grant the district its request.

Commissioner Einar Dahl raised the question of the Commission's authority to give money to the district for the purpose of using the interest yield. It was the general consensus of opinion that the Commission is authorized in section 3 of HB 525 to give the district the money requested to be paid to the Corps of Engineers on the principal amount owed and thus reduce the funds needed to be invested by that amount.

It was moved by Commissioner Gallagher, seconded by Commissioner Einar Dahl and carried that the Commission set aside \$50,000 for the Bowman County Water Management District to be granted to the district when construction of the Bowman-Haley Dam is commenced.

It was moved by Commissioner Math Dahl, seconded by Commissioner Einar Dahl and carried that the meeting recess and reconvene at the Town House Motel at 4:00 o'clock p.m. The meeting recessed at 2:50 o'clock p.m.

The meeting reconvened in the Club Room, Town House Motel, Fargo, North Dakota and was called to order by Commissioner Lunseth at 4:00 o'clock p.m.

LAKE AGASSIZ SUGAR
CORPORATION WATER PERMIT

Sugar Corporation. He stated that its financing has been arranged and the services of an experienced manager have been procured. A water permit is now needed to allow the progress of the corporation to continue.

Clark J. Jenkins, Secretary of the Lake Agassiz Sugar Corporation, gave a short resume of the history of the Lake Agassiz

Mr. Hoisveen stated that the application of the corporation had been considered at the Commission meeting in Minot on August 20, 1963. It was the Commission's opinion at that time that the application could not be approved because it did not specify either the point of diversion or the amount of water required.

Mr. Jenkins indicated that the corporation is now in a position to submit a corrected application requesting 5000 acre-

feet and showing the point of diversion to be between Sections 18 and 19, Reed Township, Cass County, North Dakota

It was moved by Commissioner Gray, seconded by Commissioner Steinberger and carried that a water right be granted in accordance with the corrected application.

MINUTES OF SEPTEMBER 24,
1963 APPROVED

It was moved by Commissioner Gallagher, seconded by Commissioner Steinberger and carried that the Commission dispense with the reading of the September 24, 1963 minutes and the minutes be approved as read.

FINANCIAL STATEMENT FOR
SEPTEMBER 1963

The financial statement for September, 1963, was distributed. It was moved by Commissioner Gallagher, seconded by Commissioner Gray and carried that the September, 1963, financial statement be approved.

RESOLUTION RELATIVE TO ACQUISITION OF LAND SURROUNDING RESERVOIRS FOR RECREATIONAL PURPOSES

A resolution declaring the Commission's policy in acquiring land surrounding reservoirs for recreational purposes was distributed, read and discussed. It was moved by Commissioner Gallagher, seconded by Commissioner Einar Dahl and carried that any action relative to such resolution be postponed until the Governor is afforded the opportunity to study it.

WATER PROJECT FEASIBILITY STUDIES - BONEHILL CREEK AND SPANGRUD DAM

Secretary Hoisveen indicated that he was in receipt of two requests for feasibility studies relative to water projects at Bonehill Creek, LaMoure County, and Spangrud Dam, Williams County. It was moved by Commissioner Gray, seconded by Commissioner Einar Dahl and carried that the feasibility studies be approved.

RUGBY GROUNDWATER STUDY

Secretary Hoisveen stated Rugby has requested a groundwater survey. The U. S. Geological Survey has initiated a policy whereby it no longer participates in groundwater surveys for municipalities. Therefore, the estimated cost of \$6,000 would be shared equally by the Commission and Rugby. It was moved by Commissioner Steinberger and seconded by Commissioner Gallagher that the Commission participate in the amount of \$3,000 in the Rugby groundwater survey. Motion carried.

SHEYENNE GROUNDWATER STUDY

Secretary Hoisveen said that he had received \$1,500 from the municipality of Sheyenne as its share in the requested groundwater study. Commissioner Lunseth yielded the chair to Commissioner Einar Dahl in order that he might take part in the impending vote. It was moved by Commissioner Lunseth, seconded by Commissioner Gallagher and carried that the Commission participate in the amount of \$1,500 in the Sheyenne groundwater study.

PEMBINA DRAIN #16

Secretary Hoisveen indicated that the Commission was requested to participate in the cost of the Pembina Drain in the amount of 40 per cent or \$6,265.47. Commissioner Lunseth yielded in the chair to Commissioner Einar Dahl in order that he

might properly participate in the following action on the instant question. It was moved by Commissioner Lunseth and seconded by Commissioner Gray and carried that the Commission participate in the cost of the Pembina Drain #16 in the amount of \$6,266.

TRAILL DRAIN #38

Secretary Hoisveen stated that the Commission has been requested to participate in the cost of Traill Drain #38 in the amount of 40 per cent or \$3,677.94. In order that he might take part in the following action Commissioner Lunseth yielded the chair to Commissioner Einar Dahl. It was moved by Commissioner Lunseth, seconded by Commissioner Gray and carried that the Commission participate in the cost of the Traill Drain #38 in the amount of \$3,668.

WATER RIGHTS

#1101

The application of Alvin Nelson, Grassy Butte, North Dakota to divert 100 acre-feet of water from Beicegel Creek, tributary of the Little Missouri River, for the purpose of irrigating 50.76 acres of land was presented by Secretary Hoisveen to the Commission for consideration. The State Engineer, Milo W. Hoisveen, considered the application and recommended 50.7 acre-feet to irrigate 50.76 acres. It was moved by Commissioner Steinberger, seconded by Commissioner Gallagher and carried that the application as modified by the State Engineer be approved and the permit granted for the diversion of 50.7 acre-feet to irrigate 50.76 acres.

#1102

The application of Reinhold J. Klautt, Linton, North Dakota, to divert 76.6 acre-feet for an impoundment from an unnamed intermittent stream, tributary of Beaver Creek and the Missouri River, to irrigate 26.8 acres and for stockwatering, recreational and wildlife purposes was presented by the Secretary to the Commission for consideration. The State Engineer, Milo W. Hoisveen, has considered the application and recommends that Mr. Klautt be allowed to divert 53.6 acre-feet to irrigate 26.8 acres for stockwatering, recreational and wildlife purposes. It was moved by Commissioner Steinberger, seconded by Commissioner Gallagher and carried that the application as modified by the State Engineer be approved and the permit granted for the diversion of 53.6 acre-feet for an impoundment to irrigate 26.8 acres and for stockwatering, recreational and wildlife purposes.

#1103

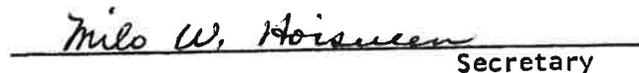
The application of the City of West Fargo to divert 60 acre-feet from an underground source for domestic and municipal use was presented. The State Engineer, Milo W. Hoisveen, considered the application and recommended that the city be allowed to divert 60 acre-feet with the rate of withdrawal to be determined after the pump test data has been compiled. It was moved by Commissioner Steinberger, seconded by Commissioner Gallagher and carried that the application be approved and the permit granted for diversion of 60 acre-feet from an underground source with rate of withdrawal to be determined by the State Engineer after receipt of the city's pumping test.

There being no further business the meeting
adjourned at 5:00 p.m.

Respectfully submitted,

ATTEST:


Governor


Secretary

NORTH DAKOTA STATE WATER COMMISSION
 MONTHLY REPORT OF APPROPRIATIONS AS OF OCTOBER 31, 1963
 1963 - 1965 APPROPRIATIONS

FUND - 2770	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	OCT '63	UNEXPENDED	ENCUMB.	UNENCUMB.
1. COMM PD & EXP -15	6,500.00	.00	1,188.56	513.22	5,311.44	450.00	4,861.44
2. ADMINISTRATION -301	70,000.00	262.50	10,700.38	3,440.56	59,562.12	2,100.00	57,462.12
3. MTCE OF DAMS -302	150,000.00	44,017.00	44,167.10	12,512.47	149,849.90	44,700.00	105,149.90
4. INT'L & INT. -303	10,000.00	.00	1,529.44	757.61	8,470.56	.00	8,470.56
5. TOPOGRAPHIC, USGS-304	30,000.00	.00	10,000.00	.00	20,000.00	20,000.00	.00
6. HYDROGRAPHIC, USGS-305	27,500.00	2,750.00	.00	.00	30,250.00	18,750.00	11,500.00
7. ENGR & GEOL, USGS-306	60,000.00	9,094.65	20,760.80	6,225.04	48,333.85	24,700.00	23,633.85
8. COOP W/US DEP, ETC -307	60,000.00	6,000.00	10,646.83	4,843.21	55,353.17	500.00	54,853.17
9. ENGR INVEST, ETC -308	145,000.00	1,000.00	20,207.96	5,041.54	125,792.04	3,500.00	122,292.04
10. ADM WATER RIGHTS-309	10,000.00	.00	4,035.94	29.16	5,964.06	.00	5,964.06
	569,000.00	63,124.15	123,237.01	39,362.81	502,887.14	114,700.00	394,187.14

NOTE - \$10,000 TRANSF. FROM #304 TO #305, 306, & 307

SWC FILE C5-1.2

NORTH DAKOTA STATE WATER COMMISSION
STATUS OF CONTINUING APPROPRIATIONS
AS OF OCTOBER 31, 1963

FUND	AVAILABLE FUNDS		DISBURSEMENTS		FUND BALANCES		
	APPROPRIATION	RECEIPTS	TO DATE	OCT '63	UNEXPENDED	ENCUMB.	UNENCUMB.
20. MULTIPLE PURPOSE	500,000.00						
CARRIED FWD -3770	337,928.21	35,842.06	47,077.94	2,105.51	826,692.33	541,439.21	285,253.12
21. CONST BOND GUAR-8770	90,000.00	20,365.89	20,539.00	.00	89,826.39	.00	89,826.39

NOTE- FUND #21 RECEIPTS ARE OBTAINED FROM RETIREMENT OF AND INTEREST ON SECURITIES THAT WERE IN THE COMMISSION'S SINKING FUND IN EXCESS OF THE AMOUNT REQUIRED TO RETIRE THE SERIES "J" BOND ISSUE ON DECEMBER 10 '57. ORIGINAL DISBURSEMENTS FROM FUND #21 WERE MADE DURING THE EARLY 1940'S IN ACCORDANCE WITH SECTION 61-02-56 OF THE CENTURY CODE WHICH PROVIDES THAT THE COMMISSION MAY GUARANTEE OR INSURE, OR AGREE TO PAY, THE INTEREST ON AND PRINCIPAL OF COMMISSION REVENUE BONDS, NOT EXCEEDING 20% OF THE PAR VALUE OF ANY SUCH BONDS.

SCHEDULE OF BONDS & INTEREST RECEIVABLE - FUND NO. 21 "8770"

TYPE	DUE DATE	INTEREST RATE	INTEREST REC. TO MATURITY	PRINCIPAL	TOTAL INCOME ANTICIPATED
U.S. SERIES K BONDS	5-65	2.76%	\$ 82.80	\$ 1,500	\$1,582.80
U.S. SERIES K BONDS	4-67	2.76%	193.20	2,000	2,193.20
U.S. TREASURY BONDS	12-68	2.50%	412.50	3,000	3,412.50
SIoux IRRIG DIST BONDS	1984 SERIALY	2.25%	4,533.75	16,000	20,533.75
			<u>\$5,222.25</u>	<u>\$22,500</u>	<u>\$27,722.25</u>
			FUND BALANCE		89,826.89
			LESS ORIGINAL APPROPRIATION		-90,000.00
				EXCESS	\$27,549.14

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - OCTOBER 31, 1963

SALARIED EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY OCT'63	WITH. TAX	SOC. SEC.	INS	BONDS	NET
HOISVEEN, MILO W.	STATE ENGR	Q-10	INC JUL'63	1,125.00	172.50		15.00	131.25	806.25
BAESLER, GORDON	DRAFTSMAN	G-8	INC JUL'63	443.67	61.00	16.08			366.59
COOPER, VERNON S.	ASST SECY	1/2 I-5	DEC OCT'62	262.84	35.00	9.53	15.00		203.31
ENGELHARDT, MIKE	ENGR AID	E-2	STA OCT'63	167.19	24.90	6.06			136.23
ENGSTROM, VIRGLE	RODMAN	D-3	INC AUG'63	238.50	32.80	8.65	2.70		194.35
FREDRICKSON, FRED	COORDINATOR	I-9	INC JUL'63	700.00	96.00		15.00		589.00
FROELICH, LARRY	GEOLOGIST	G-9	INC JUL'63	454.67	41.00	16.48			397.19
GLOVER, DALE	HYDROLOGIST	J-9	INC JUL'63	640.67	108.80				531.87
GRINDBERG, ALAN	ENGINEER	L-4	RES SEP'63	555.27	90.00				465.27
HILAND, LEONE	CH STENO	F-10	INC JUN'63	402.17	53.80	14.58	2.80		330.99
JOB, RHODA	FILE CLERK	D-6	INC JUN'63	258.75	26.80	9.38	13.25		209.32
JOCHIM, CLIFF	ATTORNEY	K-3	STA JUN'63	200.67	51.60		15.00		134.07
KNUTSON, LEWIS	DRILLER	H-2	INC AUG'63	429.17	47.40	15.56			366.21
LIVERSAGE, KAY	STENO	C-9	INC JUN'63	237.67	32.80	8.62	2.70		193.55
NELSON, C. P.	ENGINEER	L-4	INC MAR'63	672.17	108.80				563.37
PUTZ, ROY	OFF ASST	C-5	INC JUN'63	214.67	18.50	7.78	2.70		185.69
RIVINIUS, MERRIL	ENGINEER	J-5	INC MAR'63	578.67	102.60		2.75		473.32
SACKMAN, EUGENE	SURVEYOR	H-2	INC AUG'63	429.17	37.40	15.56	14.65		361.56
SANDWICK, HAZEN	ENGINEER	M-5	INC DEC'62	747.67	83.20		15.00	37.50	611.97
SCHANTZ, GEORGE	ENGR AID	D-5	STA OCT'63	250.00	25.40	9.06			215.54
SCHMID, ROGER	GEOLOGIST	H-7	INC JUL'63	491.67	48.20	17.82	.25		425.40
SCHULZ, DELTON	ENGINEER	K-4	INC JUL'63	617.67	101.60		2.75		513.32
SCHULZ, JIM	ACCOUNTANT	J-8	INC JUL'63	625.17	91.60		.30		533.27
SCHWEIGERT, CALVIN	RODMAN	D-1	STA OCT'63	136.95	19.80	4.96			112.19
UGLAND, DONNA	STENO	D-3	STA JUL'63	238.50	42.80	8.65			187.05
WALTERSON, HOWARD	CONST SUPT	H-5	INC MAR'63	466.67	64.60	16.92	10.00		375.15
WALTERSON, JEAN	DRAFTSMAN	F-5	INC JUL'63	354.67	44.10	12.86			297.71
ZIEGLER, VICTOR	ENGINEER	M-7	INC JUL'63	787.67	120.40		15.00		652.27
SWC- GROUP INSURANCE	1805			90.00			90.00		.00

NORTH DAKOTA STATE WATER COMMISSION
PAYROLL - OCTOBER 31, 1963

HOURLY EMPLOYEES

NAME	POSITION	PAY GRADE	REMARKS	SALARY OCT' 63	WITH. TAX	SOC. SEC.	INS	BONDS	NET
BRADY, PAUL	LABORER	1.50	STA OCT' 63	24.75	3.85	.90			20.00
BYDAL, MAURICE	LABORER	1.50	STA OCT' 63	29.25		1.06			28.19
DUECHLER, LARRY	OPERATOR	1.70	INC JUN' 63	479.40	74.80	17.37			387.23
ERICKSON, LELAND	LABORER	1.60	RES OCT' 63	356.80	55.20	12.95			288.65
HANSON, RAY	LABORER	1.50	RES OCT' 63	336.00	32.70	12.18			291.12
HILZENDAGER, DENNIS	LABORER	1.60	INC JUL' 63	457.60	70.70	16.60			370.30
KNUTSON, LANNY	DRILLER	2.00	INC APR' 63	520.00	83.30	18.86			417.84
KUCHMA, JOHN	LABORER	1.50	STA OCT' 63	56.25	7.90	2.04			46.31
PETERSON, JOHN	OPERATOR	2.15	INC APR' 63	518.16	82.30	18.79			417.07
SENGER, ANTON	OPERATOR	2.15	INC AUG' 63	475.16	76.10	17.22			381.84
VOELLER, PIUS	FOREMAN	2.25	HR. OCT' 63	360.00	9.90	13.05			337.05
WEIGEL, JOE	OPERATOR	1.90	INS JUL' 63	457.90	71.40	16.59			369.91
				16888.83	2351.55	346.16	234.85	168.75	13787.52